

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

SHANNON GARDNER and KEVIN	)	
MEDEIROS, for themselves and a class,	)	
	)	No. 10 CV 7784
Plaintiff,	)	
v.	)	Judge Pallmeyer
	)	
AMERICAN COLLECTION	)	
CORPORATION, d/b/a ACC	)	
INTERNATIONAL,	)	
	)	
Defendant.	)	

**DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Defendant, AMERICAN COLLECTION CORPORATIONS, d/b/a/ ACC INTERNATIONAL ("ACC"), moves, pursuant to the Rule 56 of the Federal Rules of Civil Procedure, for summary judgment on Plaintiffs' Complaint, which alleges violations of the Telephone Consumer Protection Act ("TCPA"), because there are no genuine issues of material fact, and ACC is entitled to judgment as a matter of law. In support of its motion, states as follows:

1. ACC did not use an automated dialer when calling the Plaintiffs. Furthermore, while Plaintiffs do not allege a TCPA violation based upon use of artificial or prerecorded voice, ACC did not use either an artificial or prerecorded message when it contacted Plaintiffs. Therefore, the Court should grant summary judgment in ACC's favor.
2. In support of its motion, ACC contemporaneously filed a Memorandum in Support of its Motion, including a Local Rule 56.1 Statement of Material Facts.

WHEREFORE, Defendant AMERICAN COLLECTION CORPORATIONS, d/b/a/ ACC  
INTERNATIONAL, request this Court to enter judgment in its favor.

DATED: July 5, 2011

Respectfully submitted on behalf of the Defendant,  
American Collection Corporation, d/b/a ACC  
International,

By: s/John P. Ryan  
One of Its Attorneys

David M. Schultz  
John P. Ryan  
Hinshaw & Culbertson LLP  
222 N. LaSalle, Suite 300  
Chicago, IL 60601  
312-704-3000